

**McDevitt & Miller LLP**  
**Lawyers**

(208) 343-7500  
(208) 336-6912 (Fax)

420 West Bannock Street  
P.O. Box 2564-83701  
Boise, Idaho 83702

**Chas. F. McDevitt**  
**Dean J. (Joe) Miller**  
**Celeste K. Miller**

October 23, 2013

***Via Hand Delivery***

Jean Jewell, Secretary  
Idaho Public Utilities Commission  
472 W. Washington St.  
Boise, Idaho 83720

**Re: UWI/Brighton Land Holdings LLC**  
**Case No. UWI-W-13- 01**

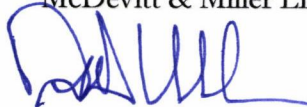
Dear Ms. Jewell:

Enclosed for filing in the above matter, please find an original and seven (7) copies of an Application and Request for Modified Procedure regarding United Water Idaho Inc.

Kindly return a file stamped copy to me.

Very Truly Yours,

McDevitt & Miller LLP



Dean J. Miller

DJM/hh  
Enclosures

RECEIVED  
2013 OCT 23 PM 3:18  
IDAHO PUBLIC  
UTILITIES COMMISSION

ORIGINAL

Dean J. Miller (ISB No. 1968)  
Chas. F. McDevitt (ISB No. 835)  
Celeste K. Miller (ISB No. 2590)  
McDEVITT & MILLER LLP  
420 West Bannock Street  
P.O. Box 2564-83701  
Boise, ID 83702  
Tel: 208.343.7500  
Fax: 208.336.6912  
[joe@mcdevitt-miller.com](mailto:joe@mcdevitt-miller.com)  
[chas@mcdevitt-miller.com](mailto:chas@mcdevitt-miller.com)  
[ck@mcdevitt-miller.com](mailto:ck@mcdevitt-miller.com)

RECEIVED  
2013 OCT 23 PM 3:18  
IDAHO PUBLIC  
UTILITIES COMMISSION

*Attorney for United Water Idaho Inc.*

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION	)	
OF UNITED WATER IDAHO INC., TO	)	<b>CASE NO. UWI-W-13- 01</b>
AMEND AND REVISE CERTIFICATE OF	)	
CONVENIENCE AND NECESSITY NO 143	)	<b>APPLICATION and REQUEST FOR</b>
TO INCLUDE PROPERTY OF BRIGHTON	)	<b>MODIFIED PROCEDURE</b>
LAND HOLDINGS LLC	)	

COMES NOW, UNITED WATER IDAHO INC., ("United Water") and, pursuant to Idaho Code §61-526 and IPUCRP 112 and 201, applies to the Commission to amend and revise its Certificate of Convenience and Necessity No. 143, as amended, to include an area located in Ada County Idaho, as hereinafter set forth, and in support of this Application respectfully shows as follows, to-wit:

I.

United Water is a public utility water corporation within the meaning of the Idaho Public Utility Law, is duly organized and existing under the laws of the State of Idaho and engaged in conducting a general water business in and about Boise City, Ada County, Idaho, having its principal office and place of business at 8248 West Victory Road, Boise, Idaho 83707.

II.

Communications in reference to this application should be addressed to:

Gregory P. Wyatt  
UNITED WATER IDAHO INC.  
P.O. Box 190420  
Boise, Idaho 83719-0420  
208-362-7327  
208-362-7069 (fax)

Dean J. Miller, Esq.  
MCDEVITT & MILLER LLP  
420 W. Bannock  
Boise, Idaho 83702  
208-343-7500  
208-336-6912 (fax)

III.

A certified copy of United Water's Articles of Incorporation, together with all amendments to date, is on file with the Commission.

IV.

For over 100 years, United Water, together with its predecessors in interest, has owned and operated and now owns and operates an extensive and integrated water system in Boise City, Idaho, and in certain territory within Ada County in the vicinity of, but outside the present corporate limits of said Boise City, and renders general water service within such territory and to the inhabitants thereof.

V.

Applicant's current Certificate is Amended Certificate No. 143.

VI.

By this Application, United Water seeks to add an area, denominated as property of Brighton Land Holdings LLC (Brighton Property) to its certificated service territory.

The Brighton Property area is not within the authorized territory of any other public utility water corporation under the jurisdiction of the Commission. The extension requested herein will not interfere with the operations of any other water utility corporation under the

jurisdiction of the Commission. There are no other water providers with existing facilities in the vicinity of the Brighton Property area capable of providing services requested by Brighton Land Holdings LLC.

VII.

United Water will provide service to all the areas pursuant to its Tariff No. 1, General Metered Service, as the same exists or may hereafter be amended. In all respects service will be provided pursuant to United Water's Rules and Regulations as the same are now approved by the Commission or may hereafter be amended.

VIII.

Exhibit A, attached hereto, is the legal description of the Brighton Property that is the subject of this Application; Exhibit B, attached hereto, is a map depicting the location of the Brighton Property area. United Water is capable of immediately extending service to the Brighton Property by extending its existing mainlines located within its service territory.

IX.

Brighton Land Holdings LLC has requested that United Water extend water service facilities to the area and United Water has determined it has the capability to provide service. Water service facilities will be extended to the area pursuant to United Water's Rules and Regulations governing extensions.

X.

The extension of service to the Brighton Property will not require the construction of Special Facilities.

XI.

United Water submits that the extension into this area is consistent with the public convenience and necessity.

XII.

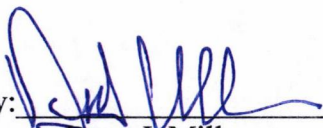
United Water does not believe that the public interest requires a hearing on the issues presented hereby and requests that the matter be processed by Modified Procedure.

WHEREFORE, United Water respectfully requests of the Commission:

1. That the Commission determine that a hearing is not required herein and process the matter by Modified Procedure;
2. That the Commission approve the expansion of United Water's service areas as herein requested;
3. That the Commission authorize the preparation and filing of an Amended Certificate No. 143 to include the areas described herein; and
4. That the Commission grant such other and further relief as the Commission may determine proper herein.

DATED this 23 day of October, 2013

UNITED WATER IDAHO INC.

By:   
Dean J. Miller  
Attorney for Applicant



# Engineering NorthWest, LLC

423 N. Ancestor Place, Suite 180

Boise, Idaho 83704

(208) 376-5000 • Fax (208) 376-5556

Project No. 05-043-01

Date: November 30, 2005

## GRANT PARCEL DESCRIPTION

A parcel of land located in the S 1/2 of the SE 1/4 of Section 28, and the NE 1/4 of the NE 1/4 of Section 33, of T. 3 N., R. 3 E., B., M., Ada County, Idaho, more particularly described as follows:

Commencing at the section corner common to Sections 27, 28, 33 and 34 of said T. 3 N., R. 3 E., (from which point the 1/4 Section corner common to said Sections 28 and 33 bears North 89°03'30" West, 2644.12 feet distant);

Thence from said section corner, South 00°38'45" West, 1319.22 feet on the Section line common to said Sections 33 and 34, to the North 1/16th section corner common to said Sections 33 and 34;

Thence North 89°15'40" West, 353.84 feet on the southerly boundary of the NE 1/4 of the NE 1/4 of said Section 33 to the **REAL POINT OF BEGINNING**;

Thence continuing North 89°15'40" West, 761.34 feet on the southerly boundary of the NE 1/4 of the NE 1/4 of said Section 33 to a point on a curve on the easterly right-of-way line of East Warm Springs Avenue (Old State Highway 21), (from which point the northeast 1/16th section corner of said Section 33 bears North 89°15'40" West, 209.88 feet distant);

Thence 476.69 feet on the arc of a curve to the left, said curve having a radius of 1116.47 feet, a central angle of 24°27'47" and a chord distance of 473.08 feet which bears North 25°33'37" West, on said easterly right-of-way line of East Warm Springs Avenue to the southeast corner of Riverland Terrace Subdivision, as same is shown on the plat thereof recorded in Book 40 of Plats at Page 3343 of Ada County Records;

Thence North 00°46'36" East, 899.79 feet (formerly described as North 00°25'44" East, 899.74 feet) on the easterly boundary of said Riverland Terrace Subdivision, which line is also the westerly boundary line of the NE 1/4 of the NE 1/4 of said Section 33 to the East 1/16th section corner common to said Sections 28 and 33, said point also being the northeast corner of said Riverland Terrace Subdivision;

Thence North 89°03'30" West, 930.88 feet (formerly described as North 89°24'38" West) on the Section line common to said Sections 28 and 33, which line is also the northerly boundary line of said Riverland Terrace Subdivision to a point on the easterly right-of-way line of East Warm Springs Avenue (Old State Highway 21), (from which point the 1/4 section corner common to said Sections 28 and 33 bears North 89°03'30" West, 391.18 feet distant);

Thence North 45°45'41" West, 544.74 feet on the easterly right-of-way line of said East Warm Springs Avenue to a point on the north-south mid-section line of said Section 28 (from which the 1/4 section corner common to said Sections 28 and 33 bears South 0°07'52" West, 373.61 feet distant);

Thence North 00°07'52" East, 758.48 feet on the north-south mid-section line of said Section 28;

Thence leaving said mid-section line, South 50°25'42" East, 167.89 feet;

Thence South 49°42'49" East, 58.00 feet;

Thence South 56°20'26" East, 282.00 feet;

Thence South 65°23'34" East, 118.00 feet;

Thence South 66°10'30" East, 180.00 feet;

Thence South 54°07'38" East, 120.00 feet;

Thence South 44°59'56" East, 210.00 feet;

Thence South 41°27'23" East, 204.00 feet;

Thence South 52°29'04" East, 322.00 feet;

Thence South 55°36'34" East, 420.65 feet;

Thence South 36°51'01" East, 88.00 feet;

Thence South 55°02'25" East, 132.00 feet;

Thence South 48°55'33" East, 281.00 feet;

Thence South 09°08'11" West, 100.00 feet;

Thence South 11°20'52" East, 130.00 feet;

Thence South 28°50'33" East, 174.00 feet;

Thence South 04°02'01" West, 60.00 feet;

Thence South 09°40'43" East, 80.00 feet;

Thence South 02°27'04" East, 107.00 feet;

Thence South 18°20'06" East, 46.00 feet;

Thence South 04°14'25" West, 92.00 feet;

Thence South 19°45'40" East, 60.00 feet;

Thence South 35°32'30" East, 86.00 feet;

Thence South 48°09'33" East, 68.00 feet to the real point of beginning. Said parcel contains 39.64 acres more or less.

**PREPARED BY:**  
Engineering NorthWest, LLC



James R. Washburn, PLS



# EXHIBIT 'B'

